

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

BARBARA GILLEY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No.: 3:10-CV-251
	)	(VARLAN/GUYTON)
ELI LILLY AND COMPANY,	)	
	)	
Defendant.	)	

**ORDER**

This civil case is before the Court on the Report and Recommendation entered by United States Magistrate H. Bruce Guyton on April 2, 2013 [Doc. 106]. There have been no timely objections to the Report and Recommendation, and enough time has passed since the filing of the Report and Recommendation to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). In the Report and Recommendation, the magistrate judge recommends that Defendant's Motion to Dismiss as Sanctions for Discovery Abuse and for Spoliation [Doc. 94] be granted in part and denied in part.

The Court has carefully reviewed this matter, including the underlying motion, response, the memorandum in support of the motion, and the relevant exhibits, and the Court is in agreement with the magistrate judge's recommendations, which the Court adopts and incorporates into its ruling. Accordingly, the Court **ACCEPTS IN WHOLE** the Report and Recommendation [Doc. 106], and it is **ORDERED** that Defendant's

Motion to Dismiss as Sanctions for Discovery Abuse and for Spoliation [Doc. 94] is **GRANTED in part and DENIED in part**. Plaintiff shall be **SANCTIONED** to the extent described more fully in the Report and Recommendation, and the parties **SHALL** comply with the dates and deadlines outlined therein.

IT IS SO ORDERED.

s/ Thomas A. Varlan  
CHIEF UNITED STATES DISTRICT JUDGE